

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

THE CITY OF ROSWELL,
GEORGIA,

Plaintiff,

v.

ARGONAUT GREAT CENTRAL
INSURANCE COMPANY and
COLONY SPECIALTY INSURANCE
COMPANY,

Defendants.

Civil Action
File No.:

NOTICE OF REMOVAL

ARGONAUT GREAT CENTRAL INSURANCE COMPANY (AIC) and COLONY SPECIALITY INSURANCE COMPANY (CSIC) within the time prescribed by law, files this Notice of Removal and respectfully shows to the Court the following facts:

1.

The City of Roswell, Georgia has filed suit against AIC and CSIC in The Superior Court of Gwinnett County, State of Georgia, which county is within the Atlanta Division of this Court. The suit is styled as above and numbered Civil Action File No. 21-A-00667-8 in that Court.

2.

The amount in controversy is set forth at the top of page three of the Complaint and exceeds the sum of \$75,000 exclusive of interest and costs.

Plaintiff alleges that the total loss incurred was \$2,637,576.82 and that AIC paid \$1,072,007.23 of the claim resulting in an alleged balance owed of \$1,295,569.59 (Complaint – Paragraph 70).

3.

AIC is a corporation organized under the laws of Illinois with its principal place of business in Texas and is not a citizen of the State of Georgia and was not a citizen of the State of Georgia on the date of filing of this civil action and has not been thereafter.

4.

CSIC is a corporation organized under the laws of Virginia with its principal place of business in Virginia and is not a citizen of the State of Georgia and was not a citizen of the State of Georgia on the date of filing this civil action and has not thereafter. CSIC is improperly named in this action because it has no privity or contract with Plaintiff and is expected to be dismissed by Plaintiff.

5.

The City of Roswell is a city in Fulton County, Georgia.

6.

The aforementioned civil action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code § 1332 and, accordingly, is one which may be removed to this Court by AIC and CSIC pursuant to the provisions of Title 28 of the United States Code § 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interests and costs and is between citizens of different states.

7.

AIC and CSIC have attached hereto copies of all pleadings and orders served upon it in this case, such copies being marked Exhibit A.

WHEREFORE, AIC and CSIC pray that the case be removed to the United States District Court, Northern District of Georgia, Atlanta Division.

This 1st day of March, 2021.

GOODMAN MCGUFFEY LLP
*Attorney for Argonaut Great Central Insurance
Company and Colony Specialty Insurance
Company*

By: /s/ Robert M. Darroch
ROBERT M. DARROCH
GA Bar No. 205490
rdarroch@gm-llp.com
3340 Peachtree Rd. NE Suite 2100
Atlanta, GA 30326-1084
(404) 264-1500 Phone
(404) 264-1737 Fax

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AFFIDAVIT

Personally appeared before the undersigned officer, Robert M. Darroch, who being duly sworn, deposes and says that the Affiant is an attorney at law and counsel for Argonaut Great Central Insurance Company and Colony Specialty Insurance Company in the above Notice of Removal, and the facts related therein are true according to the allegations of Plaintiff's Complaint, and to the best of Affiant's knowledge and belief.

This 1st day of March, 2021.

GOODMAN MCGUFFEY LLP

*Attorney for Argonaut Great Central Insurance
Company and Colony Specialty Insurance
Company*



By:

ROBERT M. DARROCH

GA Bar No. 205490

rdarroch@gm-llp.com

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Atlanta, GA 30326-1084

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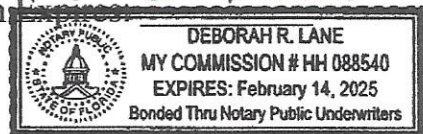
Sworn and subscribed to before me this 1st day of March, 2021.



Notary Public

My Commission Expires

2-14-2025



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CERTIFICATE OF SERVICE

This is to certify that on March 1, 2021, I electronically filed this Notice of Removal with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Richard L. Robbins, Esq.
Robbins Ross Alloy Belinfante Littlefield, LLC
500 14th Street, NW
Atlanta, GA 30318
rrobbins@robbinsfirm.com

Catherine C. Berenato, Esq.
Robbins Ross Alloy Belinfante Littlefield, LLC
500 14th Street, N.W.
Atlanta, GA 30318
cberenato@robbinsfirm.com

GOODMAN MCGUFFEY LLP
*Attorney for Argonaut Great Central Insurance
Company and Colony Specialty Insurance
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